

Beth

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 83-416-C - ORDER NO. 84-640 ✓

August 10, 1984

IN RE: Application of AT&T Communications)
of the Southern States, Inc. for a)
Certificate of Public Convenience)
and Necessity to Provide Telephone)
Common Carrier Service to the) DELCARATORY
General Public for Compensation) ORDER
throughout the State of South)
Carolina and Application for)
Initial Intrastate Tariffs.)

This matter comes before the South Carolina Public Service Commission (Commission) by way of Petition for Declaratory Order filed by AT&T Communications of the Southern States, Inc. (the Company) filed on July 6, 1984. Previously, on December 29, 1983 by Order No. 83-883, the Commission granted the Company major portions of the relief requested in its initial Application filed on October 21, 1983.

Paragraph 14 of the original Application provided in pertinent part:

These initial tariffs--as to the types of services to be offered and their terms and conditions--generally replicate the intrastate interLATA services tariffs of Southern Bell.*

[*Moreover, AT&T Communications' intrastate interLATA facilities rate base will generally replicate that of Southern Bell due to the method of separation of depreciation reserves and tax reserves, and the tax free transfer of assets under the POR. POR at pp. 142 and 442].

Order No. 83-883 provides in part:

The Commission further finds that the rates filed in the application are approved, effective for service rendered on or after January 1, 1984. The Commission is very much concerned that customers should receive the same service at the same rates as presently approved. It is the intent of this Order to provide a transition during the period of divestiture without interruption of service to customers or a change in rate. pp. 5-6.

At that time, the Company filed tariffs mirroring the Southern Bell tariffs. Prior to the date of Order No. 83-883, the Commission, in Dockets 81-201-C and 82-294-C, had approved new rates for Southern Bell; however those rates and charges were not in effect due to appeals pending to the South Carolina Supreme Court. Due to these pending appeals, the rates filed by the Company were the rates currently being billed by Southern Bell rather than the rates which the Commission had approved. Subsequently, upon the withdrawal of the appeals, Southern Bell fully put into effect the Commission approved rates on March 1, 1984. As a result of Southern Bell's implementation of the Commission approved rates, there now exist differences between Southern Bell's and the Company's private line, message toll, and WATS tariffs.

It is the intent of the Commission that Southern Bell's and the Company's customers generally receive the same service at the same rates during the transition period of divestiture, including utilization by the Company of the rates of Southern Bell which the Commission had previously approved, and but for the pending appeals, such rates and tariffs, would have been those filed by the Company and implemented as of January 1, 1984.

Based on the foregoing, the Commission finds that:

1. The Company may file an application modifying its rates and tariffs to replicate and mirror those of Southern Bell approved in Dockets 81-201-C and 82-294-C.

2. Pursuant to S. C. Code Ann. Section 58-9-540(A) such modification may be approved by this Commission without thirty days notice or a hearing.

3. Such modification is not such a rate and tariff change which would preclude the Company from filing for any rate change request within twelve months of January 1, 1984.

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IT IS THEREFORE ORDERED:


1. That AT&T Communications of the Southern States, Inc. proceed in this Docket according to the findings as set forth herein.

2. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Vice Chairman

ATTEST


Executive Director

(SEAL)